

GOVERNMENT OF TELANGANA  
ABSTRACT

Tribal Welfare Department – Telangana State – Erstwhile Warangal District – Issue of Local Scheduled Tribe Agency Area Certificates – Cancellation of Local Scheduled Tribe Agency Area Certificate by the Collector & District Magistrate, Warangal vide Prods.No.C5/3342/2010, dated 27.04.2011 - Appeal filed by Sri Guguloth Ravi, S/o. Tarya, R/o. Jangalapalli Thanda under Muthyalamma Thanda Gram Panchayat in Rajupeta Revenue Village, Narsampet Mandal, Warangal District - Appeal Allowed – Orders – Issued.

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TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 41

Dated: 03-10-2023  
Read the following:-

- 1) Proceedings No.C5/3342/2010, dated 27.04.2011 O/o. the Collector & District Magistrate, Warangal.
- 2) Appeal petition filed by Sri Guguloth Ravi, S/o. Tarya, R/o.Jangalapalli Thanda under Muthyalamma Thanda Gram Panchayat in Rajupeta Village, Narsampet Mandal, Warangal District, dated 10.04.2023 & .05.2023
- 3) Govt. Memo.No.606/TW.LTR/2023-1, dated 08.06.2023, 10.07.2023 & 14.08.2023.
- 4) Govt. Notice No.606/TW.LTR/2023, dated 10.07.2023, 27.07.2023 & 14.08.2023.
- 5) The District Tribal Development Officer(FAC), Warangal District Lr.No.TWE1/2023, dated 26.08.2023.

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ORDER:-

In the reference 1<sup>st</sup> read above, the Collector & District Magistrate, Erstwhile Warangal District has cancelled the Local Scheduled Tribe Agency Area Certificate bearing No.F/1373/2007, dated 06.06.2007 of Sri Guguloth Ravi, S/o. Tarya, R/o. Jangalapalli Thanda, H/o. Rajupeta Village of Narsampet Mandal, Warangal District issued by the Tahsildar, Narsampet Mandal for the following reasons:

- i) Tahsildar, Narsampet Mandal submitted report in Lr.No.F/408/2009-8, dated 22.09.2010 stating that the Agency Certificate bearing No.F/1373/2007, dated 06.06.2007 was issued to Sri Guguloth Ravi S/o Tarya R/o Jangalapalli Thanda H/o Rajupeta village of Narsampet Mandal and during enquiry into its genuineness, in the village, as per statement of village elder Sri Modum Bixam S/o Devla, aged: 70 years, the applicant's parents/forefathers have been residing in the village since 60 years. Hence, the certificate issued to the applicant is genuine.
- ii) Applicant attended before the DLSC on 14.10.2010 and submitted his explanation.
- iii) When referred, the Revenue Divisional Officer, Narsampet had conducted enquiry and submitted vide Lr.No.E/44/2010-12, dated 11.11.2010 stating that as per the statement of Sri Mudu Biksham S/o Devula, aged: 70 years, the appellant and his forefathers have been residing in Jangalapalli Thanda H/o Rajupeta village since 1950, but the said statement is not supported by any evidence.
- iv) Applicant has filed 1) xerox copy of 1954-55 Holding register wherein name of Sri Guguloth Chandu said to be great grandfather of the appellant was recorded. This could not be got confirmed due to non-availability of Khasra Pahani of Rajupeta; 2) Xerox copy of election ID of Smt. Bhikkamma Guguloth W/o Tariya (ID No.AP/39/266/381143) issued on 15.12.1995 to mother of applicant 3) xerox copy of the applicant Election ID card No.AP36/266/381132; 4) xerox copy of land purchase stamp paper of 1979 and 1982 in favour of Sri Guguloth Tavariya i.e. father of applicant.

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- v) On perusal of the above mentioned xerox copies of documents pertaining to the year 1954 onwards, reports of Tahsildar and Revenue Divisional Officer and explanation of the applicant submitted before the DLSC on 14.10.2010, the residence of the applicant in Jangalapalli thanda H/o Rajupeta village from the year 1950 is not proved. Hence, the Local ST certificate bearing No.F/1373/2007, dated 06.06.2007 issued by the Tahsildar, Narsampet has been cancelled.

2. Aggrieved by the above cancellation orders of the Collector & District Magistrate, Warangal, in the reference 2<sup>nd</sup> read above, the Appellant Sri Guguloth Ravi S/o Tarya R/o Jangalapalli thanda under Mutyalamma thanda Gram Panchayat of Rajupeta Revenue village in Narsampet Mandal of Warangal District has filed the present Appeal under GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 stating as follows:

- i) He belongs to ST Lambada community and resident of Jangalapalli thanda under Mutyalamma thanda Gram Panchayat in Rajupeta Revenue village by birth in Warangal District and that his ancestors have been continuously living in the said village which is notified as agency/scheduled village by the President of India in the Presidential Order, 1950. Thus, he is the local Scheduled Tribe of Rajupeta agency village. Therefore, the Tahsildar, Narsampet after causing discrete enquiries about his local ST status has issued him the Agency Area bearing Rc.No.F/1373/2007, dated 06.06.2007.
- ii) He has been selected provisionally to the post of Secondary Grade Teacher in DSC 2008 (TRT) vide Hall Ticket No.21200107543 under Agency Area Local ST category but appointment orders have not been issued due to cancellation local ST certificate by the District Collector, Warangal in Procs.Rc.No.C5/3342/2010, dated 27.04.2011.
- iii) He and his ancestors have been continuously living in Rajupeta agency village in Narsampet Mandal of Warangal District from 1950 onwards. They have immovable property i.e. agriculture land, house in the village but the DLSC has not considered any of these facts and recommended for cancellation and the District Collector, Warangal without affording any opportunity before cancellation, has cancelled the certificate which is against the procedure prescribed under Act 16 of 1993 and Rules issued thereunder.
- iv) The authorities have no powers to deal with cancellation of Agency Area Local ST certificate under Act 16 of 1993 – therefore, the Government have issued orders in GO Ms.No.24, Tribal Welfare (LTR) Department, dated 12.6.2018 prescribing procedure to be followed in issue and cancellation of Agency Area Local ST Certificates. Therefore, he has submitted the present Appeal under GO Ms.No.24, dt.12.6.2018 against cancellation orders of the Dist. Collector, Warangal.
- v) In support of his claim that he belongs to the Agency Area Local Scheduled Tribe category, he has submitted the following documents:
  - a) Certificates related to educational qualifications from 4<sup>th</sup> class to B.A. Graduation and B.Ed.
  - b) Physically Handicapped Certificate issued by the Chairman, District Medical Board for P.H. Warangal (80% disability).
  - c) Certificate for Person with Disability issued by the Medical Superintendent, Area Hospital, Mahabubabad (80% disability).
  - d) Community, Nativity and Date of Birth Certificate bearing No.F/000701/97, dated 28.6.97 issued by Mandal Revenue Officer, Narsampet wherein it was certified that the appellant belongs to ST Lambada community and resident of Rajupeta village.

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- e) Community, Nativity and Date of Birth Certificate bearing Trans ID: T1238660445, dated 15.5.2012 issued by Tahsildar, NarsampetMandal, Warangal District where it was certified that the appellant belongs to ST Lambada-29 community, native of H.No.2-25, JangalapallyThanda, Rajupet village and Date of Birth is 15.4.1980.
- f) Community, Nativity & Date of Birth Certificate bearing Application No.CGC024404557, dated 5.2.2013 issued by Tahsildar, Narsampet wherein it was certified that the appellant belongs to Lamabdis (ST) community, native of Rajupet village and Date of Birth is 15.4.1980.
- g) Local Scheduled Tribe Candidate Certificate bearing Rc.No.F/1373/2007, dt.6.6.2007 issued by the Tahsildar, Narsampet, wherein it was certified that the appellant belongs to Lambada Tribe and residing in Jangalapally thanda H/o Rajupet village, Narsampet Mandal in Warangal District which falls within the scheduled area (part B States) Order, 1950. His parents have also been residing in Jangalapally thanda H/o Rajupet village since 1950.
- h) Caste Certificate bearing No.F/2904/03, dated 28.10.2003 issued by Mandal Revenue Officer, Narsampet wherein it was certified that Sri Guguloth Tarya S/o Hemla (father of appellant) belongs to Lambada community and resident of Rajupeta village in Narsampet Mandal.
- i) Residence Certificate bearing L.Dis.No.GPR/271/03, dated 17.10.2003 issued by Panchayat Secretary, Rajupet village – wherein it was certified that Guguloth Tarya S/o Hemla (father of appellant) has been residing in Jangalapalli Thanda H/o Rajupeta village.
- j) White Ration Card issued by Mandal Revenue Officer, Narsampet to father of appellant Sri Guguloth Tarya wherein it was certified that his father is the resident of Rajupeta village and eking out livelihood through Agriculture.
- k) White Ration Card No.WAP213003200022 issued by Mandal Revenue Officer, Narsampet to father of appellant Sri Guguloth Tharya wherein it was certified that they have been living in Jangalapalli Thanda H/o Rajupeta Revenue village, occupation is Agriculture and family members are Beekamma (mother of appellant) and Ravi (appellant).
- l) Election ID card bearing No.AP/39/266/381143, dt.15.12.1995 issued to mother of appellant Smt.Bhikkamma Gugulotu W/o Tariya by Electoral Registration Officer, Narsampet Constituency wherein her residence was recorded as H.No.2-25 Rajupet village.
- m) Election ID card bearing No.AP/39/266/381132, dt.15.12.1995 issued to the appellant by the Electoral Registration Officer, Narsampet Constituency wherein his residence was recorded as H.No.2-25, Rajupet village.
- n) Election ID card bearing No.AP/39/266/3812900 issued to father of appellant Sri Gugulotu Tariya S/o Hemla by the Electoral Registration Officer, Narsampet Constituency wherein his residence was recorded as H.No.2-25, Rajupet village.
- o) New Election ID card bearing No.YNU0829244 issued to the appellant by the Electoral Registration Officer, 103 Narsampet Assembly Constituency wherein his residence was recorded as H.No.3-16, Jangalapalli, Rajupet village.

- p) Aadhar Card No.9749 6542 7526 wherein appellant's residence was recorded as H.No.3-16, JangalapallyThanda, Muthojipet Post, Narsampet.
- q) Affidavit duly Notarized deposing that appellant is the native of Rajupet (v) (Mutyalamma thanda), Jangalapalli Thanda, Narsampet Mandal and following is his Family Tree:
  - Guguloth Chandu is great grandfather. He has three sons namely Bhojya, Hemla (grandfather) and Jamla.
  - Guguloth Hemla (grandfather) has only one son namely Guguloth Tharya (father of appellant).
  - Guguloth Tharya (father of appellant) has four sons namely 1) Narsimha (eldest son), Suykya (2<sup>nd</sup> son), Balu (3<sup>rd</sup> son) and Ravi (4<sup>th</sup> son and appellant).
- r) Revenue Record of Rajupet village for the year 1950-51 wherein name of Guguloth Bhojya (eldest brother of grandfather Guguloth Hemla) was recorded.
- s) Khasra Pahani for the year 1954-55 – Rajupeta village – name of great grandfather of appellant Sri Guguloth Chanda was recorded at Sl.No.31.
- t) Khasra Pahani for the year 1954-55 – name of Sri Guguloth Bhojya (eldest brother of grandfather Hemla) was recorded.
- u) Pahani for the year 1964-65 – Rajupeta village – name of Guguloth Bhojya (eldest brother of grandfather Guguloth Hemla) was recorded.
- v) Pahani for the year 1972-73 – Rajupeta village – name of grand father Guguloth Hemla was recorded at Sl.No.640.
- w) Pahani for the year 1973-74 – Rajupeta village – name of father Sri GugulothTarya was recorded at Sl.No.662.
- x) Pahani for the year 1986-87 – Rajupet village – name of grand father Sri Guguloth Hemla was recorded for an extent of acs.2.20 gts.
- y) Pahani for the year 1986-87 – Rajupeta village – name of Sri Guguloth Bhojya (eldest brother of grandfather Guguloth Hemla) was recorded in Sy.No.117/1/165.
- z) Pahani for the year 1997-98 – Rajupeta village – name of father Sri GugulothTarya was recorded for an extent of acs.0.21 gts in Sy.No.71/3.
- aa) Pahani for the year 2010-11 – Rajupet village – name of Guguloth Beekamma (mother) W/o Tavurya was recorded for an extent of acs.0.21 gts in Sy.No.71/3.
- ab) Pahani for the year 2010-11 – Rajupet village – name of Guguloth Tarya (father) was recorded for an extent of acs.0.20 gts.
- ac) Pahani for the year 2010-11 - Rajupet village – name of Guguloth Bheekamma W/o Tarya (mother) was recorded for an extent of acs.0.29 gts.
- ad) Pahani for the year 2015 (Fasli 1425) – Rajupet village – name of Guguloth Ravi S/o Tavurya (appellant) was recorded for an extent of acs.0.21 gts in Sy.No.71/3.
- af) Pahani for the year 2015 (Fasli 1425) – Rajupet village – name of Guguloth Ravi (appellant) was recorded for an extent of acs.0.19 gts in Sy.No.72/1.

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- ag) Pahani for the year 2015 (Fasli 1425) – Rajupet village – name of Guguloth Ravi (appellant) was recorded for an extent of acs.0.29 gts in Sy.No.75/3.
- ah) Rytu Pass Book (Old) issued in favour of Sri Guguloth Tarya S/o Hemla (father) wherein it was recorded that Sri Guguloth Tarya (father) holding the followings extents of land in Rajupet village – i.e. in 1) Sy.No.71/2 – 0.23 gts; 2) Sy.No.71/3 – 0.10 gts; 3) Sy.No.72/1 – 0.14 gts; 4) Sy.No.72/2 – 0.18 gts); 5) Sy.No.75/1 – 0.29 gts and 6) 117/1/367 – 0.20 gts.
- ai) Pattedar Pass Book bearing Patta No.96 (2104300130108) issued to Sri Guguloth Tarya S/o Hemla (father) by Mandal Revenue Officer, Narsampet in respect of land holding 0.20 gts in Sy.No.117/1/367 in Rajupet village.
- aj) Agreement of sale dt.13.7.1979 executed by Danasari Buchi Papaiah R/o Ashoknagar, Narsampet Mandal in favour of Sri Guguloth Tarya S/o Hemla (father) regarding selling away of patta land 1 acre of Sri Danasari Buchi Papaiah to Sri Tarya for a sale consideration of Rs.2,000/- (situated in Sangepukalva) Khanapur Mandal.
- ak) Agreement of sale dt.13.7.1981 executed by Gujju Venkataiah S/o Kanthaiah R/o Ashoknagar, Narsampet in favour of Sri Guguloth Tarya (father) R/o Rajupeta village – sale of 0.07 gts situated for a sale consideration of Rs.1470.00 – land situated in Pakhalacheruvu, Sangepukalva, Khanapur sivaru.
- al) Agreement of sale dt.17.2.1982 – executed by Danasari Buchi Papaiah R/o Ashoknagar in favour of Guguloth Tavurya S/o Hemla (father) – land sold is acs.1.18 gts – sale consideration is Rs.3000/-.
- am) Mutyalamma thanda (Rajupeta) PESA Gram Sabha Resolution – wherein it was resolved that ancestors of appellant i.e. Guguloth Chandu continuously living in Jangalapalli thanda H/o Rajupeta revenue village since 1950. The proposal in the PESA Gram Sabha was agreed by (100) villagers and PESA Gram Sabha Secretary, PESA Gram Sabha Vice President, Gram Sarpanch, PESA Mobilizer and 3 village elders affixed their signatures.
- an) Gram Panchayat Mutyalamma thanda Resolution dated 15.2.2023 wherein it was resolved that the family of Guguloth Chandu and his family members Guguloth Hemla, Guguloth Tarya continuously living in Jangalapalli Thanda under GP Mutyalamma Thanda of Rajupeta Revenue village since 1950.
- vi) In spite of submitting and explaining all the above factual evidences before the DLSC, the authorities did not consider his case and recommended for cancellation of his local ST certificate which was issued by the Tahsildar, Narsampet after causing discrete enquiries.

3. Therefore, in his present appeal the Appellant has prayed the Government to consider his evidentiary material submitted along with the Appeal and ALLOW his Appeal in the interests of justice.

4. In the reference 3<sup>rd</sup> read above, Government have admitted the above Appeal petition and requested the District Collector, Warangal District, the Project Officer, ITDA, Eturnagaram, Mulugu District and Tahsildar, Narsampet Mandal Warangal District to submit connected records documents pertaining to the case along with para-wise remarks.

5. In the reference 4<sup>th</sup> read above, Notice was issued to the Appellant to attend for hearing on 26.08.2023 at 3.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Sri Guguloth Ravi

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has attended and submitted certain copies of documents. The District Tribal Development Officer, Warangal has attended and submitted certain copies of documents related to the present appeal in the reference 5<sup>th</sup> read above, which contain cancellation proceedings of the District Collector, Warangal in Rc.No.C5/3342/2010, dated 27.4.2011 and other documents related to the appellant submitted before the DLSC as read above.

6. Findings:

- It is seen from the cancellation orders of the District Collector, Warangal dated 27.4.2011, the Tahsildar, Narsampet Mandal who enquired into genuineness of the Local ST Certificate of Appellant has reported through his Lr.No.F/408/2009-8, dated 22.9.2010 that as per statement of village elder Sri Modu Biksham S/o Devla, aged about 70 years, the appellant's parents/forefathers have been continuously residing in Rajupeta village since 60 years – therefore, the Local ST certificate bearing No.F/1373/2007, dated 06.06.2007 issued from their office to the appellant is genuine.
- When the same matter was again referred to the Revenue Divisional Officer, Narsampet, he also reported through his Lr.No.E/44/2010-12, dated 11.11.2010 that as per the statement of the village elder Sri Mudu Biksham S/o Devula, aged: 70 years, the appellant and his forefathers have been residing in Jangalapalli Thanda H/o Rajupeta village since 1950, but the said statement is not supported by any evidence.
- Before the DLSC, the appellant had submitted certain documents in support of his claim like copy of landing holding particulars pertaining to the year 1954-55 wherein name of his great grandfather was recorded (Guguloth Chandu) but this could not be got confirmed due to non-availability of Khasra Pahani of Rajupeta. Therefore, the Local ST certificate of the Appellant has been cancelled.
- Now, before the Government, in Appeal, the Appellant Sri Guguloth Ravi has submitted several documents of which many of them were supplied by the concerned revenue authorities duly attested.

7. On perusal of the documentary evidences submitted by the Appellant and documents made available by the District Tribal Development Officer, Warangal during hearing on 26.8.2023 and in view of the above findings, it is established that continuous residence of the appellant and his forefathers from 1950 in Jangalapalli thanda H/o Rajupeta agency village in Narsampet Mandal of Warangal District.

8. Government after careful examination of the matter, hereby allow the Appeal filed by Sri Guguloth Ravi, S/o. Tarya, R/o. Jangalapalli Thanda under Muthyalamma Thanda Gram Panchayat in Rajupeta Revenue Village, Narsampet Mandal, Warangal District, treating him as Agency Area Local Scheduled Tribe of Rajupeta Agency Village in Narsampet Mandal of Warangal District; his Agency Area Local ST certificate bearing Rc.No.F/1373/2007, dated 06.06.2007 issued by the Tahsildar, Narsampet Mandal as GENUINE, duly setting aside orders of the District Collector, Warangal in Proceedings No.C5/3342/2010, dated 27.4.2011.

9. The Collector and District Magistrate, Warangal District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU,  
SECRETARY TO GOVERNMENT.

To

The Collector and District Magistrate, Warangal District (By RPAD)

Sri Guguloth Ravi, S/o. Tarya,

R/o.Jangalapalli Thanda, Muthyalamma Thanda Gram Panchayat,

Muthojipeta (P.O.), Narsampet Mandal, Warangal District-506132(By RPAD)

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Copy to:-

The Commissioner and Director of School Education,  
Telangana State, Hyderabad.

The District Educational Officer, Warangal District.

The Project Officer, ITDA, Eturnagaram, Mulugu District.

The District Tribal Development Officer, Warangal District.

The Tahsildar, Narsampet Mandal, Warangal District

The P.S. to Hon'ble Minister for ST Welfare.

The PA to Secretary (TW).

The PA to Special Secretary (TW).

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//FORWARDED::BY ORDER//

SECTION OFFICER.